

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

RICKY L. DOTSON,	)	CASE NO. 3:15 CV 434
Petitioner,	)	JUDGE CHRISTOPHER A. BOYKO
v.	)	
JAMES BATES, Judge,	)	<u>MEMORANDUM OF OPINION</u>
Respondent.	)	<u>AND ORDER</u>

On March 5, 2015, Petitioner *pro se* Ricky L. Dotson filed the above-captioned habeas corpus action under 28 U.S.C. § 2254. The Petition indicates he is being held at the Northwest Ohio Psychiatric Hospital, having been found Not Guilty by Reason of Insanity of Aggravated Burglary in 1993. As the sole ground for relief, Petitioner alleges the maximum sentence he could have received for his offense is 10 years.

A federal district court may entertain a petition for a writ of habeas corpus by a person in state custody only on the ground that the custody violates the Constitution or laws of the United States. Furthermore, the petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254.

There is no suggestion that Petitioner has exhausted state court remedies with respect to the issue sought to be raised in this case. Further, he does not assert a constitutional violation in support of his ground for relief, and therefore fails to set forth an issue cognizable in habeas corpus.

Accordingly, the Petition is denied and this action is dismissed pursuant to Rule 4 of the

Rules Governing Section 2254 Cases. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

s/ Christopher A. Boyko

CHRISTOPHER A. BOYKO

UNITED STATES DISTRICT JUDGE

DATED: March 18, 2015